

Fair Political Practices Commission

Memorandum

To: Chairman Getman, Commissioners Downey, Knox, Scott and Swanson

From: Mark Krausse, Executive Director

Subject: Legislative Report

Date: September 25, 2001

Introduction

The legislature adjourned on September 15, 2001, for its interim recess. The governor has until October 15, 2001, to act on bills enrolled to him on or after September 3, 2001. While the legislature may convene in a special session on the subjects of energy costs and availability, it will not return to consider other subjects until January 7, 2002.

Bills Enrolled to the Governor

<u>Bill No.</u>	<u>Author</u>	<u>Title</u>	<u>(Intro)/Amend</u>
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AB 2	Alquist	Independent Issue Advocacy	7/9/2001
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Requires an independent expenditure committee that qualifies as a recipient committee preceding an election for which it has made independent expenditures of \$1,000 or more to file a statement of organization within 24 hours of qualifying as recipient committee. **Enrolled to governor on 9/24.**

AB 696	Longville	Electronic reporting: online forms and free software	8/30/2001
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Requires the Secretary of State (SOS) to provide free online forms and software for electronically filing the lobbyist and campaign reports required by the Act. The bill requires that online forms be available on or before April 15, 2002, for lobbyist report filers, and July 1, 2002, for campaign filers. It requires that free software be available by December 1, 2002. Finally, the bill extends by one year, to June 1, 2002, the deadline for a report on the implementation and development of online and electronic filing, and adds a new report due no later than January 31, 2003. Appropriates \$600,000 to SOS for these purposes.

Enrolled to governor on 9/26.

AB 931	Frommer	Gift limitations: Insurance Commissioner	6/25/2001
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Prohibits travel payments or reimbursements by specified persons to benefit the insurance commissioner. This bill amends only the Insurance Code. **Signed on September 24th. Chapter 336, Statutes of 2001.**

SB 412	Vasconcellos	Misleading domain names	8/30/2001
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Creates, in the Elections Code, a misdemeanor for candidates, committees, or proponents or opponents of initiatives or referendum measures who deliberately register a domain name for the purpose of directing a person away from the website of a competing candidate or measure, or for the purpose of preventing the competing candidate or measure from acquiring a desired domain. Also extends the existence of the Bipartisan Commission on Internet Political Practices to September 30, 2002, and requires that commission to report to the legislature by that date. **Enrolled to governor on 9/20.**

LEGISLATIVE REPORT

Informational Item— Bills Amending the PRA

<u>Bill No.</u>	<u>Author</u>	<u>Title</u>	<u>(Intro)/Amend</u>
AB 190	Longville	Public financing of campaigns	4/26/2001
Repeals Section 85300 of the Act, the ban on public funding of candidates and creates a new system for publicly funded legislative campaigns. In Assembly Elections Committee (2-year bill).			
AB 374	Matthews	Slate mailers: peace officer or firefighter organizations	7/2/2001
Requires a slate mailer that purports to represent the position of a peace officer or firefighter organization to include the number of members the organization has statewide and in the counties in which the mailer is sent; prohibits any slate mailer that is untruthful or misleading. Also replaces with asterisks ("****") the dollar signs ("\$\$\$"), previously enjoined by the federal court, required by Prop 208 to be printed next to the name of any candidate or measure paying to appear in a mailer. In Senate Elections.			
AB 690	Wesson	Telephone advocacy	8/21/2001
Provides that a candidate, committee or other organization may not expend campaign funds to pay for 1,000 or more similar telephone calls to support or oppose a candidate or ballot measure unless the name of the organization that authorized or paid for the call is disclosed during the course of each call. Amendments taken to require committee to retain script or recording of call. Held in Senate Appropriations.			
AB 693	Longville	Personal loans (spot bill)	(2/22/2001)
Changes the threshold for banned personal loans from \$500 to \$300. Assembly Elections (2-year bill).			
AB 1053	Papan	Non-substantive spot bill	(2/23/2001)
This bill makes non-substantive changes to the Act and is a placeholder measure. In print; awaiting Rules assignment (2-year bill).			
AB 1236	Jackson	Ballot measure and candidate ad disclosures	(2/23/2001)
This bill repeals Article 5 of Chapter 4 and enacts a similar scheme regulating state ballot measure advertisements. (Note that the previous sections regulate all measures—state and local.) In addition, the bill amends the Elections Code to require an initiative petition to indicate on its face whether it is circulated by a paid signature gatherer or a volunteer, and to disclose the campaign's major contributors. The bill requires the ballot pamphlet to identify initiatives that were qualified by volunteers. Assembly Elections Committee (2-year bill).			
SB 3	Brulte	Telephone Advocacy	5/22/2001
Prohibits a candidate, committee or slate mail organization from using campaign funds to pay for telephone calls to support or oppose a candidate or ballot measure unless the call announces that it was paid for or furnished by the candidate, committee or slate mail organization. Also amends the definition of "mass mailing" to provide greater specificity and expressly include items delivered by any means to a recipient's home, business, place of employment or post office box. Assembly Appropriations.			
POSITION: Oppose unless amended.			

LEGISLATIVE REPORT

Informational Item— Bills Amending the PRA (continued)

<u>Bill No.</u>	<u>Author</u>	<u>Title</u>	<u>(Intro)/Amend</u>
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SB 34	Burton	Proposition 34	6/30/2001
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This bill makes several clean-up changes suggested by the Commission and also several substantive changes to Proposition 34. The bill contains Commission-sponsored ballot spokesperson language and subjects political parties' payments for member communications to the same reporting requirements that applied prior to the effective date of Proposition 34. **Chapter 241, Statutes of 2001. POSITION: Support. URGENCY MEASURE to be implemented immediately.**

SB 157	Haynes	Campaign contributions: arbitration	4/16/2001
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This bill prohibits an elected state officer from submitting to binding arbitration a lawsuit against the state or a state agency if the officer has received a contribution of \$250 or more within the preceding 12 months from a party to the lawsuit, the party's attorney or agent. Also prohibits a public official from taking a contribution in excess of \$250 after taking part in certain decisions. **In Senate Elections Committee (2-year bill).**

SB 300	McPherson	Bipartisan Commission recommendations	4/23/2001
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Deletes the requirement that elected officials who do not maintain committees file semi-annual campaign statements, provided they have made no expenditures and have collected no contributions. May be amended in 2002 to add other recommendations of the Bipartisan ("McPherson") Commission on the Political Reform Act of 1974. **In Assembly Elections.**

SB 386	Johnson	Electronic disclosure	3/29/2001
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This bill requires the Secretary of State, in rejecting an online or electronic filing, to notify the filer by electronic mail of the reason(s) for rejection using plain, straightforward language and avoiding technical terms, so that the meaning will be easily understood. **Chapter 79, Statutes of 2001.**

Informational Item—Elections Code Bills and Others Not Amending the PRA

<u>Bill No.</u>	<u>Author</u>	<u>Title</u>	<u>(Intro)/Amend</u>
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SB 798	Speier	Gift limitations: Insurance Commissioner	5/1/2001
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This bill prohibits those regulated by the insurance commissioner and their representatives from making a contribution or gift to the insurance commissioner or a candidate for insurance commissioner. It excludes employees of regulated entities who make gifts or contributions from their personal funds. The bill also prohibits any attorney or law firm under contract or bidding on or under consideration for a contract to represent the Department of Insurance or the insurance commissioner from making any contribution or gift. This bill amends the Insurance Code and does not modify the Political Reform Act. **Assembly Elections Committee: failed passage; 2-year bill.**